

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-SIXTH GENERAL ASSEMBLY

69TH LEGISLATIVE DAY

PERFUNCTORY SESSION

TUESDAY, JULY 7, 2009

4:00 O'CLOCK P.M.

**HOUSE OF REPRESENTATIVES
Daily Journal Index
69th Legislative Day**

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The House of Representatives met in Perfunctory Session pursuant to notice from the Speaker.

REPORTS

The Clerk of the House acknowledges receipt of the following correspondence:

Exemption Declaration pursuant to the Mercury-Free Vaccine Act, submitted by Department of Public Health on June 30, 2009.

Notification of Possible Breach of Security, submitted by Department of the Air Force on June 30, 2009.

Progress Report of the Comprehensive Strategic Plan for Elementary and Secondary Education, submitted by State Board of Education on June 30, 2009.

Financial Audit for ROE 41, submitted by Office of the Auditor General on July 1, 2009.

Compliance Examination of the Department of Military Affairs, submitted by Office of the Auditor General on July 1, 2009.

Compliance Examination of the Department of Veterans' Affairs, Illinois Veterans' Home at LaSalle, submitted by Office of the Auditor General on July 1, 2009.

Notification of Possible Breach of Security, submitted by Northern Illinois University on July 2, 2009.

Quarterly Report to the Legislature, July 2009, submitted by Department of Corrections on July 2, 2009.

LETTERS OF TRANSMITTAL

July 7, 2009

Mark Mahoney
Chief Clerk of the House
402 State House
Springfield, IL 62706

Dear Clerk Mahoney:

Pursuant to House Rule 9(a), by this letter I am establishing that the House of Representatives will be in **Perfunctory Session** on Tuesday, **July 7, 2009**.

If you have questions, please contact my Chief of Staff, Tim Mapes, at 782-6360.

With kindest personal regards, I remain.

Sincerely yours,
s/Michael J. Madigan
Speaker of the House

July 1, 2009

Jacqueline Price
Director, Index Division
OFFICE OF SECRETARY OF STATE
111 East Monroe

[July 7, 2009]

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Springfield, IL 62756

Dear Ms. Price:

Representative Lou Lang is reappointed to the **Legislative Ethics Commission**.

Please contact Tim Mapes, my Chief of Staff, at 217-782-6360 for further information.

With kindest personal regards, I remain.

Sincerely yours,
s/Michael J. Madigan
Speaker of the House

July 7, 2009

Jacqueline Price
Director, Index Division
OFFICE OF SECRETARY OF STATE
111 East Monroe
Springfield, IL 62756

Dear Ms. Price:

Public Act 95-0995 created the **Commission to Study Disproportionate Justice Impact**. I appoint Representative Arthur Turner and Paul Froehlich. Representative Turner will serve as Co-Chair of this Commission.

Please contact Tim Mapes, my Chief of Staff, at 782-6360 for further information.

With kindest personal regards, I remain.

Sincerely yours,
s/Michael J. Madigan
Speaker of the House

INTRODUCTION AND FIRST READING OF BILLS

The following bills were introduced, read by title a first time, ordered reproduced and placed in the Committee on Rules:

HOUSE BILL 4583. Introduced by Representative Senger, AN ACT concerning criminal law.

HOUSE BILL 4584. Introduced by Representative Rose, AN ACT concerning appropriations.

HOUSE BILL 4585. Introduced by Representatives Tryon - Sullivan, AN ACT concerning local government.

HOUSE BILL 4586. Introduced by Representative Ford, AN ACT concerning government.

HOUSE BILL 4587. Introduced by Representative Ford, AN ACT concerning public health.

HOUSE BILL 4588. Introduced by Representative Nekritz, AN ACT concerning education.

HOUSE BILL 4589. Introduced by Representative Moffitt, AN ACT concerning revenue.

HOUSE BILL 4590. Introduced by Representative Ryg, AN ACT concerning State government.

HOUSE BILL 4591. Introduced by Representative Chapa LaVia, AN ACT in relation to budget implementation.

HOUSE BILL 4592. Introduced by Representative Feigenholtz, AN ACT in relation to budget implementation.

HOUSE BILL 4593. Introduced by Representative Fortner, AN ACT concerning public employee benefits.

HOUSE BILL 4594. Introduced by Representative Ryg, AN ACT concerning budget implementation.

HOUSE BILL 4595. Introduced by Representative Nekritz, AN ACT concerning budget implementation.

HOUSE BILL 4596. Introduced by Representative Flowers, AN ACT concerning professional regulation.

HOUSE RESOLUTION

The following resolution was offered and placed in the Committee on Rules.

HOUSE RESOLUTION 517

Offered by Representative Turner:

WHEREAS, The members of the Illinois House of Representatives are proud to recognize individuals that have contributed to the welfare of the State of Illinois and its citizens or have distinguished themselves through significant personal achievement; and

WHEREAS, Sullie Eugene Palmer Sr. was born in Chicago on July 29, 1918; his parents were Earl Sr. and Laurinda Palmer; and

WHEREAS, Sullie Palmer attended Smith Elementary School and then pursued a career in prize fighting; at the same time, he played for the "Brown Bombers", a semi-pro Negro League baseball team; he later toured as a member of the Harlem Globetrotters; and

WHEREAS, Sullie Palmer served his country with pride and distinction as a member of the United States Air Force from 1946 until his honorable discharge; following his discharge, he was employed at the Dana Corporation, with a second job at the ABC Youth Center; and

WHEREAS, Sullie Palmer devoted great amounts of time and effort to being a positive role model and mentor to thousands of young people at the ABC Youth Center and on the West Side of Chicago, helping countless people find their way when they were at their lowest all the way until his passing in November of 2008; and

WHEREAS, On July 14, 1943, Sullie Palmer Sr. married Gladys Louise Jackson, who preceded him in death; together, they had 3 children, Brenda Hopson, Sullie E. Palmer Jr., and Sharon Palmer; in addition to his children, he also left behind 2 sisters, a stepbrother, 7 grandchildren, 12 great-grandchildren, and many nieces, nephews, and cousins; and

WHEREAS, A plaque will be placed at the Chicago Youth Centers' ABC Polk Brothers Center on June 13, 2009 at 7:00 P.M. in honor of Sullie Palmer's hard work, integrity, and dedication to the people of North Lawndale and the State of Illinois; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we designate the date of June 13, 2009 as "Sullie Palmer Day" in the State of Illinois in honor of the life and legacy of Sullie Eugene Palmer; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of Sullie Palmer Sr. as a symbol of our esteem and respect.

**HOUSE JOINT RESOLUTIONS
CONSTITUTIONAL AMENDMENTS
FIRST READING**

Representative Winters introduced the following:

**HOUSE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT 33**

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article III of the Illinois Constitution by adding Section 7 as follows:

ARTICLE III

SUFFRAGE AND ELECTIONS

SECTION 7. RECALL OF MEMBERS OF THE GENERAL ASSEMBLY

(a) Electors may petition for the recall of a member of the General Assembly. If the recall petition is valid, on a separate ballot the question "Shall (member) be recalled from the General Assembly?" must be submitted to the electors, along with the names of any candidates certified for the successor election, at a special election called by the State Board of Elections or at a regularly scheduled election to occur as described in subsection (g). The member subject to recall may be a candidate in the successor election.

(b) A member of the General Assembly is immediately removed upon certification of the recall election results if a majority of the electors voting on the question vote to recall the member. If a member is recalled, the candidate who receives the highest number of votes in the successor election is elected successor for the balance of the term. Once a recall petition is certified, the petition may not be withdrawn and another recall petition may not be initiated against that member during the remainder of his or her current term of office.

(c) Any elector of the applicable Legislative or Representative District may file an affidavit with the State Board of Elections providing notice of intent to circulate a petition to recall a member no sooner than 6 months after the beginning of the member's current term of office. The affidavit must identify the name of the member and the office to be recalled, the name and address of the proponents of the recall petition, and the date of filing with the State Board of Elections. A recall petition shall not be circulated prior to filing the affidavit, and a recall petition must be filed with the State Board of Elections no later than 160 days after filing the affidavit.

(d) A petition to recall a member of the General Assembly must be signed by electors of the respective Legislative District or Representative District equal to at least 20% of the total votes cast for the office in the election at which the member was elected. The form, circulation, and manner of filing a recall petition shall comply with the requirements provided by law for a statewide advisory public question, except the deadlines set forth in this Section.

(e) A recall petition is valid unless an objection is made within 45 days after the date the petition is filed, and an objection to the recall petition may be made in the same manner as to that of a candidate for the office subject to recall. The State Board of Elections shall certify the recall petition not more than 105 days after the date the recall petition is filed. Any recall petition or election pending on the date of the next general election at which a candidate for the office subject to recall is elected is moot.

(f) If a recall election is initiated, the name of no successor candidate may appear on the ballot unless a nominating petition has been filed with the State Board of Elections no more than 40 days after filing of the recall petition. The nominating petition of an established party candidate must contain the same number of signatures and be circulated in the same manner as an established party candidate for nomination to the office subject to recall, except the petition must be circulated no more than 40 days prior to the last day for filing nomination petitions. The nominating petition of an independent or new party candidate must contain the same number of signatures and be circulated in the same manner as an independent or new party candidate, respectively, for election to the office subject to recall, except the petition must be circulated no more than 40 days prior to the last day for filing nomination petitions. A nominating petition may be objected to in the same manner as to that of a candidate for the office subject to recall, unless otherwise provided by law. The State Board of Elections shall certify a valid nominating petition not more than 105

days after the date the recall petition is filed.

(g) An election to determine whether to recall a member of the General Assembly and to elect a successor shall be proclaimed by the State Board of Elections and held not less than 60 days and no more than 100 days after the date of certification of the recall petition.

(h) The provisions of this Section are self-executing and judicially enforceable.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

The foregoing HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 33 was taken up, read in full a first time, ordered reproduced and placed in the Committee on Rules.

Representative Winters introduced the following:

HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 34

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article 4 of the Illinois Constitution by changing Sections 1, 2, and 3 as follows:

ARTICLE IV

THE LEGISLATURE

SECTION 1. LEGISLATURE - POWER AND STRUCTURE

The legislative power is vested in a General Assembly consisting of a Senate and a House of Representatives, elected by the electors from 59 Legislative Districts and ~~39~~ 48 Representative Districts. (Source: Amendment adopted at general election November 4, 1980.)

SECTION 2. LEGISLATIVE COMPOSITION

(a) One Senator shall be elected from each Legislative District. Immediately following each decennial redistricting, the ~~Senate, by resolution, General Assembly by law~~ shall divide the Legislative Districts as equally as possible into three groups. Senators from one group shall be elected for terms of four years, four years and two years; Senators from the second group, for terms of four years, two years and four years; and Senators from the third group, for terms of two years, four years and four years. The Legislative Districts in each group shall be distributed substantially equally over the State.

(b) ~~Three Representatives shall be elected from each Legislative District for a term of two years. No political party shall limit its nominations to less than two candidates for Representative in any Legislative District. In elections for Representatives, including those for nomination, each elector may cast three votes for one candidate or distribute them equally among no more than three candidates. The candidates highest in votes shall be declared elected. Each Legislative District shall be divided into two Representative Districts. In 1982 and every two years thereafter one Representative shall be elected from each Representative District for a term of two years.~~

(c) To be eligible to serve as a member of the General Assembly, a person must be a United States citizen, at least 21 years old, and for the two years preceding his election or appointment a resident of the district which he is to represent. In the general election following a redistricting, a candidate for the General Assembly may be elected from any district which contains a part of the district in which he resided at the time of the redistricting and reelected if a resident of the new district he represents for 18 months prior to reelection.

(d) Within thirty days after a vacancy occurs, it shall be filled by appointment as provided by law. If the vacancy is in a Senatorial office with more than twenty-eight months remaining in the term, the appointed Senator shall serve until the next general election, at which time a Senator shall be elected to serve for the remainder of the term. If the vacancy is in a Representative office or in any other Senatorial office, the appointment shall be for the remainder of the term. An appointee to fill a vacancy shall be a member of the same political party as the person he succeeds.

(e) No member of the General Assembly shall receive compensation as a public officer or employee from any other governmental entity for time during which he is in attendance as a member of the General

Assembly.

No member of the General Assembly during the term for which he was elected or appointed shall be appointed to a public office which shall have been created or the compensation for which shall have been increased by the General Assembly during that term.

(Source: Amendment adopted at general election November 4, 1980.)

SECTION 3. LEGISLATIVE REDISTRICTING

(a) Legislative Districts shall be compact, be contiguous, be and substantially equal in population, reflect minority voting strengths, promote competition, and consider political boundaries. Representative Districts shall be compact, be contiguous, be and substantially equal in population, reflect minority voting strengths, promote competition, and consider political boundaries. A Representative District need not be entirely within a single Legislative District. The General Assembly shall establish by law a method to determine a score for any map for Legislative or Representative districts.

~~(b) In the year following each Federal decennial census year, the General Assembly by law shall redistrict the Legislative Districts and the Representative Districts.~~

A ~~If no redistricting plan becomes effective by June 30 of that year, a~~ Legislative Redistricting Commission shall be constituted by March 1 of the year following each Federal decennial census year not later than July 10. The Commission shall consist of eight members, no more than four of whom shall be members of the same political party.

The Speaker and Minority Leader of the House of Representatives shall each appoint two persons to the Commission ~~one Representative and one person who is not a member of the General Assembly.~~ The President and Minority Leader of the Senate shall each appoint two persons to the Commission ~~one Senator and one person who is not a member of the General Assembly.~~

The members shall be certified to the Secretary of State by the appointing authorities. A vacancy on the Commission shall be filled within five days by the authority that made the original appointment. A Chairman and Vice Chairman shall be chosen by a majority of all members of the Commission. The Commission shall provide to the public data and tools to create Legislative and Representative districts not later than April 7. The Commission shall accept maps for the redistricting of Legislative and Representative districts through May 7.

The Commission shall judge all submitted maps according to criteria set forth in subsection (a) as implemented by law and assign each map a score. The Commission shall eliminate maps that fail to meet federal and State law and shall eliminate maps that are substantially the same as other maps of equal or higher score. Not later than May 22 the Commission shall give to the Senate the maps for Legislative Districts with the top three scores. Not later than May 22 the Commission shall give to the House of Representatives the maps for Representative Districts with the top three scores.

(c) The Senate by a record vote of three-fifths of the members elected may adopt a redistricting resolution from the three maps for Legislative Districts submitted by the Commission. If the Senate has failed to file a redistricting resolution with the Secretary of State by June 30, the Secretary of State shall certify the redistricting map for Legislative Districts that received the top score from the Commission.

The House by a record vote of three-fifths of the members elected may adopt a redistricting resolution from the three maps for Representative Districts submitted by the Commission. If the House has failed to file a redistricting resolution with the Secretary of State by June 30, the Secretary of State shall certify the redistricting map for Representative Districts that received the top score from the Commission.

~~Not later than August 10, the Commission shall file with the Secretary of State a redistricting plan approved by at least five members.~~

~~If the Commission fails to file an approved redistricting plan, the Supreme Court shall submit the names of two persons, not of the same political party, to the Secretary of State not later than September 1.~~

~~Not later than September 5, the Secretary of State publicly shall draw by random selection the name of one of the two persons to serve as the ninth member of the Commission.~~

~~Not later than October 5, the Commission shall file with the Secretary of State a redistricting plan approved by at least five members.~~

(d) A ~~An approved redistricting resolution or redistricting map plan~~ filed with the Secretary of State shall be presumed valid, shall have the force and effect of law and shall be published promptly by the Secretary of State.

The Supreme Court shall have original and exclusive jurisdiction over actions concerning redistricting the House and Senate, which shall be initiated in the name of the People of the State by the Attorney General.

(Source: Amendment adopted at general election November 4, 1980.)

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act and applies to redistricting beginning in 2011 and to the election of General Assembly members beginning in 2012.

The foregoing HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 34 was taken up, read in full a first time, ordered reproduced and placed in the Committee on Rules.

Representative Winters introduced the following:

**HOUSE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT 35**

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article IV of the Illinois Constitution by changing Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 14 and by repealing Section 15 as follows:

ARTICLE IV
THE LEGISLATURE

SECTION 1. LEGISLATURE - POWER AND STRUCTURE

The legislative power is vested in a General Assembly consisting of a Senate comprised of 177 Senators and ~~a House of Representatives~~, elected by the electors from 59 Legislative Districts ~~and 118 Representative Districts~~.

(Source: Amendment adopted at general election November 4, 1980.)

SECTION 2. LEGISLATIVE COMPOSITION

(a) Three Senators shall be elected from each Legislative District for terms of 4 years each. No Senator may serve for more than 3 terms after 2012. No political party shall limit its primary nomination process to fewer than 2 candidates for Senator in any Legislative District, but this provision shall not prevent a primary ballot from containing the name of a single candidate in a Legislative District if only one candidate runs for that office of Senator in that party. In elections for Senators, including those for nomination, each elector may cast 3 votes for one candidate or distribute them equally among no more than 3 candidates. The candidates with the highest number of votes shall be declared elected. One Senator shall be elected from each Legislative District. Immediately following each decennial redistricting, the General Assembly by law shall divide the Legislative Districts as equally as possible into three groups. Senators from one group shall be elected for terms of four years, four years and two years; Senators from the second group, for terms of four years, two years and four years; and Senators from the third group, for terms of two years, four years and four years. The Legislative Districts in each group shall be distributed substantially equally over the State.

(b) ~~Each Legislative District shall be divided into two Representative Districts. In 1982 and every two years thereafter one Representative shall be elected from each Representative District for a term of two years.~~

(e) ~~To be eligible to serve as a member of the Senate General Assembly, a person must be a United States citizen and ; at least 21 years old . A candidate for the Senate must be a resident of the district he or she is to represent for the 2 years preceding his or her election. In the general election following a redistricting, a candidate for the Senate may be elected from any district that contains a part of the district in which he or she resided at the time of the redistricting and reelected if a resident of the new district he or she represents for 18 months prior to reelection. , and for the two years preceding his election or appointment a resident of the district which he is to represent. In the general election following a redistricting, a candidate for the General Assembly may be elected from any district which contains a part of the district in which he resided at the time of the redistricting and reelected if a resident of the new district he represents for 18 months prior to reelection.~~

(c) ~~(d) Within 30 thirty days after a vacancy occurs, it shall be filled by appointment as provided by law. The If the vacancy is in a Senatorial office with more than twenty eight months remaining in the term, the appointed Senator shall serve until the next general election, at which time a Senator shall be elected to~~

~~serve for the remainder of the term. If the vacancy is in a Representative office or in any other Senatorial office, the appointment shall be for the remainder of the term. An appointee to fill a vacancy shall be a member of the same political party as the person he or she succeeds and must meet all other requirements to serve as a member of the Senate as listed in subsection (b). For the purposes of subsection (a), a person who fills a vacancy shall be considered to have served a full term.~~

~~(d) (e) No member of the Senate General Assembly shall receive compensation as a public officer or employee from any other governmental entity for time during which he or she is in attendance as a member of the Senate General Assembly.~~

~~No member of the Senate General Assembly during the term for which he or she was elected or appointed shall be appointed to a public office which shall have been created or the compensation for which shall have been increased by the Senate General Assembly during that term.~~

~~(Source: Amendment adopted at general election November 4, 1980.)~~

SECTION 3. LEGISLATIVE REDISTRICTING

~~(a) Legislative Districts shall be compact, be contiguous, be substantially equal in population, reflect minority voting strengths, promote competition, and consider political boundaries. The General Assembly shall establish by law a method to determine a score for any map for Legislative Districts.~~

~~(b) A Legislative Redistricting Commission shall be constituted by March 1 of the year following each federal decennial census year. The Commission shall consist of 8 members, no more than 4 of whom shall be members of the same political party. The Senate President and Senate Minority Leader shall each appoint 4 persons to the Commission. For the redistricting process in 2011 only, 4 members of the Commission must be members of the Illinois House of Representatives.~~

~~(c) The members of the Commission shall be certified to the Secretary of State by the appointing authorities. A vacancy on the Commission shall be filled within 5 days by the authority that made the original appointment. A Chairman and Vice Chairman shall be chosen by a majority of all members of the Commission. The Commission shall provide to the public data and tools to create Legislative Districts not later than April 7. The Commission shall accept maps for the redistricting of Legislative Districts through May 7.~~

~~(d) The Commission shall evaluate all submitted maps according to the criteria set forth in subsection (a) as implemented by law and assign each map a score. The Commission shall eliminate maps that fail to meet federal and State law and shall eliminate maps that are substantially the same geographically as other maps of equal or better score. Not later than May 22, the Commission shall give to the Senate the maps for Legislative Districts with the 3 best scores.~~

~~(e) The Senate, by a record vote of three-fifths of the members elected, may adopt a redistricting resolution from the 3 maps for Legislative Districts submitted by the Commission. If the Senate has failed to file a redistricting resolution by June 30, the Secretary of State shall certify the redistricting map for Legislative Districts that received the best score from the Commission. In the event of multiple maps with the same best high score, the map to be certified shall be selected at random.~~

~~(f) A redistricting resolution or redistricting map filed with the Secretary of State shall be presumed valid, shall have the force and effect of law, and shall be published promptly by the Secretary of State.~~

~~(g) The Illinois Supreme Court shall have original and exclusive jurisdiction over actions concerning redistricting the General Assembly. Aggrieved individuals shall be entitled to file objections with the Legislative Redistricting Commission (i) for the Commission's failure to perform duties associated with any portion of this Section or (ii) if their maps were scored inconsistently with this Section or eliminated unfairly. The aggrieved individual shall be entitled to judicial review of any complaint filed with the Commission. (a) Legislative Districts shall be compact, contiguous and substantially equal in population. Representative Districts shall be compact, contiguous, and substantially equal in population.~~

~~(b) In the year following each Federal decennial census year, the General Assembly by law shall redistrict the Legislative Districts and the Representative Districts.~~

~~If no redistricting plan becomes effective by June 30 of that year, a Legislative Redistricting Commission shall be constituted not later than July 10. The Commission shall consist of eight members, no more than four of whom shall be members of the same political party.~~

~~The Speaker and Minority Leader of the House of Representatives shall each appoint to the Commission one Representative and one person who is not a member of the General Assembly. The President and Minority Leader of the Senate shall each appoint to the Commission one Senator and one person who is not a member of the General Assembly.~~

~~The members shall be certified to the Secretary of State by the appointing authorities. A vacancy on the Commission shall be filled within five days by the authority that made the original appointment. A~~

~~Chairman and Vice Chairman shall be chosen by a majority of all members of the Commission.~~

~~Not later than August 10, the Commission shall file with the Secretary of State a redistricting plan approved by at least five members.~~

~~If the Commission fails to file an approved redistricting plan, the Supreme Court shall submit the names of two persons, not of the same political party, to the Secretary of State not later than September 1.~~

~~Not later than September 5, the Secretary of State publicly shall draw by random selection the name of one of the two persons to serve as the ninth member of the Commission.~~

~~Not later than October 5, the Commission shall file with the Secretary of State a redistricting plan approved by at least five members.~~

~~An approved redistricting plan filed with the Secretary of State shall be presumed valid, shall have the force and effect of law and shall be published promptly by the Secretary of State.~~

~~The Supreme Court shall have original and exclusive jurisdiction over actions concerning redistricting the House and Senate, which shall be initiated in the name of the People of the State by the Attorney General.~~

(Source: Amendment adopted at general election November 4, 1980.)

SECTION 4. ELECTION

(a) At the general election in 2012, odd-numbered Legislative Districts shall have elections for 2-year terms and even-numbered Legislative Districts shall have elections for 4-year terms. Thereafter, all Senators shall be elected for 4-year terms.

(b) The requirements for a person to be listed on the ballot for election as Senator shall be the same regardless of political affiliation or non-affiliation. Members of the General Assembly shall be elected at the general election in even numbered years.

(Source: Illinois Constitution.)

SECTION 5. SESSIONS

(a) The Senate General Assembly shall convene each year on the second Wednesday of January following each general election. The Senate General Assembly shall be a continuous body during the succeeding 2-year term for which members of the House of Representatives are elected.

(b) The Governor may convene the General Assembly or the Senate alone in special session by a proclamation stating the purpose of the session; and only business encompassed by such purpose, together with any impeachments or confirmation of appointments shall be transacted. Special sessions of the Senate General Assembly may also be convened by a joint proclamation of the presiding officer of the Senate officers of both houses, issued as provided by law.

(c) Sessions of the Senate each house of the General Assembly and meetings of committees, joint committees and legislative commissions shall be open to the public. Sessions of the Senate and meetings of Senate committees and legislative commissions and committee meetings of a house may be closed to the public if two-thirds of the members elected to that house determine that the public interest so requires; and meetings of joint committees and legislative commissions may be so closed if two thirds of the members elected to each house so determine.

(Source: Illinois Constitution.)

SECTION 6. ORGANIZATION

(a) A majority of the members elected to the Senate each house constitutes a quorum.

(b) On the first day of the January session following each general election, of the General Assembly in odd numbered years, the Secretary of State shall convene the House of Representatives to elect from its membership a Speaker of the House of Representatives as presiding officer, and the Governor shall convene the Senate to elect from its membership a President of the Senate as presiding officer. No person may hold the same leadership position for more than 2 terms. A "leadership position" is defined as President of the Senate, Majority Leader, Minority Leader, Committee Chairperson, or Committee Minority Spokesperson.

(c) For purposes of powers of appointment conferred by this Constitution, the Minority Leader of either house is a member of the numerically strongest political party other than the party to which the Speaker or the President belongs, as the case may be.

(d) The Senate Each house shall determine the rules of its proceedings, judge the elections, returns, and qualifications of its members, and choose its officers. No member shall be expelled by the Senate either house, except by a vote of two-thirds of the members elected to that house. A member may be expelled only once for the same offense. The Senate Each house may punish by imprisonment any person, not a member, guilty of disrespect to the Senate house by disorderly or contemptuous behavior in its presence. Imprisonment shall not extend beyond 24 twenty-four hours at one time unless the person persists in

disorderly or contemptuous behavior.

(Source: Illinois Constitution.)

SECTION 7. TRANSACTION OF BUSINESS

(a) Committees ~~of each house, joint committees of the two houses~~ and legislative commissions of the Senate shall give reasonable public notice of meetings, including a statement of subjects to be considered.

(b) The Senate ~~Each house~~ shall keep a journal of its proceedings and a transcript of its debates. The journal shall be published and the transcript shall be available to the public.

(c) The Senate ~~Either house~~ or any committee thereof as provided by law may compel by subpoena the attendance and testimony of witnesses and the production of books, records, and papers.

(Source: Illinois Constitution.)

SECTION 8. PASSAGE OF BILLS

(a) The enacting clause of the laws of this State shall be: "Be it enacted by the People of the State of Illinois, represented in the Senate ~~General Assembly~~."

(b) The Senate ~~General Assembly~~ shall enact laws only by bill. ~~Bills may originate in either house, but may be amended or rejected by the other.~~

(c) No bill shall become a law without the concurrence of a majority of the members elected to the Senate ~~each house~~. Final passage of a bill shall be by record vote. At ~~In the Senate~~ at the request of 2 ~~two~~ members, and in the House at the request of five members, a record vote may be taken on any other occasion. A record vote is a vote by yeas, and nays, and abstentions entered on the journal. Abstentions shall not count towards the total number of votes.

(d) A bill shall be read by title on 3 ~~three~~ different days ~~in each house~~. A bill and each amendment thereto shall be reproduced and placed on the desk of each member before final passage.

(e) No bill shall receive its final vote unless it has been public in its final form for 7 calendar days, which includes posting of the bill on the General Assembly's website.

(f) Each bill must be substantially similar to its condition when introduced. If amendments have significantly altered the nature of the bill, it must be reintroduced as a new bill and meet all of the requirements of a new bill.

(g) Bills, except bills for appropriations and for the codification, revision, or rearrangement of laws, shall be confined to one subject. Appropriation bills shall be limited to the subject of appropriations.

(h) A bill expressly amending a law shall set forth completely the sections amended.

(i) Any bill shall be called for a vote within 14 calendar days upon the motion of at least 25 Senators.

(j) ~~The Speaker of the House of Representatives and the President of the Senate~~ shall sign each bill that passes ~~both houses~~ to certify that the procedural requirements for passage have been met.

(Source: Illinois Constitution.)

SECTION 9. VETO PROCEDURE

(a) Every bill passed by the Senate ~~General Assembly~~ shall be presented to the Governor within 30 calendar days after its passage. The foregoing requirement shall be judicially enforceable. If the Governor approves the bill, he or she shall sign it and it shall become law.

(b) If the Governor does not approve the bill, he or she shall veto it by returning it with his or her objections to the Senate ~~house in which it originated~~. Any bill not so returned by the Governor within 60 calendar days after it is presented to him or her shall become law. If recess or adjournment of the Senate ~~General Assembly~~ prevents the return of a bill, the bill and the Governor's objections shall be filed with the Secretary of State within such 60 calendar days. The Secretary of State shall return the bill and objections to the Senate ~~originating house~~ promptly upon the next meeting of the Senate ~~same General Assembly at which the bill can be considered~~.

(c) ~~The Senate house to which a bill is returned~~ shall immediately enter the Governor's objections upon its journal. If within 15 calendar days after such entry the Senate ~~that house~~ by a record vote of three-fifths of the members elected passes the bill, it shall ~~be delivered immediately to the second house. If within 15 calendar days after such delivery the second house by a record vote of three fifths of the members elected passes the bill, it shall become law.~~

(d) The Governor may reduce or veto any item of appropriations in a bill presented to him or her, using the line-item veto power. Portions of a bill not reduced or vetoed shall become law. An item vetoed shall be returned to the Senate ~~house in which it originated~~ and may become law in the same manner as a vetoed bill. An item reduced in amount shall be returned to the Senate ~~house in which it originated~~ and may be restored to its original amount in the same manner as a vetoed bill except that the required record vote shall be a majority of the members elected to the Senate ~~each house~~. If a reduced item is not so restored, it shall become law in the reduced amount.

(e) The Governor shall have no power of veto over initiative or referendum proposed by the citizens of the State. The Governor may return a bill together with specific recommendations for change to the house in which it originated. The bill shall be considered in the same manner as a vetoed bill but the specific recommendations may be accepted by a record vote of a majority of the members elected to each house. Such bill shall be presented again to the Governor and if he certifies that such acceptance conforms to his specific recommendations, the bill shall become law. If he does not so certify, he shall return it as a vetoed bill to the house in which it originated.

(Source: Illinois Constitution.)

SECTION 10. EFFECTIVE DATE OF LAWS

The Senate General Assembly shall provide by law for a uniform effective date for laws passed prior to June 1 of a calendar year. The Senate General Assembly may provide for a different effective date in any law passed prior to June 1. A bill passed after May 31 shall not become effective prior to June 1 of the next calendar year unless the Senate General Assembly by the vote of three-fifths of the members elected to each house provides for an earlier effective date.

(Source: Amendment adopted at general election November 8, 1994.)

SECTION 11. COMPENSATION AND ALLOWANCES

A member shall receive a salary and allowances as provided by law, but changes in the salary of a member shall not take effect during the term for which he or she has been elected. Salary and allowances for Senators cannot be changed without a bill passing the Senate consistent with this Article.

(Source: Illinois Constitution.)

SECTION 14. IMPEACHMENT

(a) The Senate shall have the sole power of impeachment, but a majority of the members elected must concur therein. Proceedings may be initiated in either a regular session or a special session of the Senate.

(b) A resolution of impeachment shall give reasonable notice of the acts or omissions alleged to constitute impeachable offenses but need not conform to any particular style. Upon the adoption of a resolution of impeachment, a notice of an impeachment of any officer, other than a Judge of the Supreme Court, shall be served upon the Chief Justice by the Secretary of the Senate. The Chief Justice shall call a session of the Supreme Court to meet at the Capitol in an expeditious fashion after receiving such notice to try the impeachment. A notice of an impeachment of any Judge of the Supreme Court shall be served by the Secretary of the Senate upon the clerk of the judicial district within which the Capitol is located. The clerk of the judicial district shall choose at random seven Judges of the District Courts in the State to meet within 30 days at the Capitol to sit as a Court to try such impeachment. This Court shall organize by electing one of its number to preside.

(c) The case against the impeached civil officer shall be brought in the name of the General Assembly and shall be managed by 2 Senators appointed by the Senate. The 2 Senators may make technical or procedural amendments to the articles of impeachment, as they deem necessary. The trial shall be conducted in the manner of a civil proceeding, and the impeached civil officer shall not be allowed to invoke a privilege against self-incrimination, except as otherwise applicable in a general civil case.

(d) No person shall be convicted without the concurrence of two-thirds of the members of the Court of impeachment that clear and convincing evidence exists indicating that the person committed one or more impeachable offenses. Judgment in cases of impeachment shall not extend further than removal from office and disqualification to hold and enjoy any office of honor, profit, or trust in this State. The person impeached, whether convicted or acquitted, may still be subject to separate prosecution and punishment according to law. No officer may exercise official duties after impeachment and notice until the officer is acquitted. The House of Representatives has the sole power to conduct legislative investigations to determine the existence of cause for impeachment and, by the vote of a majority of the members elected, to impeach Executive and Judicial officers. Impeachments shall be tried by the Senate. When sitting for that purpose, Senators shall be upon oath, or affirmation, to do justice according to law. If the Governor is tried, the Chief Justice of the Supreme Court shall preside. No person shall be convicted without the concurrence of two thirds of the Senators elected. Judgment shall not extend beyond removal from office and disqualification to hold any public office of this State. An impeached officer, whether convicted or acquitted, shall be liable to prosecution, trial, judgment and punishment according to law.

(Source: Illinois Constitution.)

SECTION 15. ADJOURNMENT (REPEALED)

(a) When the General Assembly is in session, neither house without the consent of the other shall adjourn for more than three days or to a place other than where the two houses are sitting.

(b) If either house certifies that a disagreement exists between the houses as to the time for adjourning a

~~session, the Governor may adjourn the General Assembly to a time not later than the first day of the next annual session.~~

(Source: Illinois Constitution.)

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act and applies to redistricting beginning in 2011, to the election of General Assembly members beginning in 2012, and to the operation of the General Assembly beginning on the second Wednesday in January 2013.

Should any part of this Amendment be rendered or declared invalid by a court of competent jurisdiction of the State of Illinois or the United States, that invalidation of the part or portion of this Amendment should not invalidate the remaining portions of this Amendment, and they shall remain in full force and effect.

The foregoing HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 35 was taken up, read in full a first time, ordered reproduced and placed in the Committee on Rules.

SENATE RESOLUTIONS

The following Senate Joint Resolutions, received from the Senate, were read by the Clerk and referred to the Committee on Rules: SENATE JOINT RESOLUTIONS 67 (Dunkin), 68 (Flowers) and 72 (Davis, W).

At the hour of 4:26 o'clock p.m., the House Perfunctory Session adjourned.